

SENATE BILL 1098

By Beavers

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 29; Title 8; Title 16; Title 17, Chapter 5 and Title 39, Chapter 16, relative to complaints filed with the court of the judiciary.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 17, Chapter 5, Part 3, is amended by adding the following as a new section:

17-5-315.

(a) If a complaint is filed against a judge pursuant to this chapter based upon conduct that occurred while the judge was in office, and, prior to the dismissal or any final disposition of the complaint, the judge fails to win reelection, resigns, retires or otherwise leaves office for some reason other than the death of the judge, the court shall make public:

(1) The fact that a complaint was filed against the judge;

(2) The allegations made in the complaint; and

(3) The stage of the process at which the complaint was when the judge left office.

(b) If the investigative counsel or court of the judiciary entered into any agreement or arrangement whereby the judge would leave office in exchange for dismissing or discontinuing the investigation of the complaint, any such agreement, whether oral or in writing shall be disclosed as provided in subsection (a).

SECTION 2. This act shall take effect July 1, 2011, the public welfare requiring it and shall apply to any complaint filed on or after such date.